

Appl. No. 10/671,962
Amdt. dated August 28, 2006
Reply to Office action of May 30, 2006

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REMARKS/ARGUMENTS

Claims 1, 3-15, and 17-20 remain in this application. Claims 2 and 16 have been canceled.

Claim 1, as amended, overcomes the 35 U.S.C. 102(b) rejection because it has been amended to include the invention having a length of the top member being equal to the width of a cinderblock having a first sidewall and a second sidewall having exterior surfaces such that when the top member is placed on top of the cinderblock, the first downward flange fits over the exterior surface of the first sidewall and the second downward flange fits over the exterior surface of the second sidewall. Support for the amendment to specify that the length of the top member is equal to the width of a cinderblock having a first sidewall and a second sidewall having exterior surfaces such that when the top member is placed on top of the cinderblock, the first downward flange fits over the exterior surface of the first sidewall and the second downward flange fits over the exterior surface of the second sidewall is found in the Specification at p. 5, lines 21-25, p. 8, lines 14-16, p. 9, lines 7-8, and in Figs. 1-3. The Federal Circuit has stated that the references must be "reasonably pertinent to the particular problem with which the inventor is involved" and that "common sense" must be used to decide "in which fields a person of ordinary skill would reasonably be expected to look for a solution to the problem facing the inventor." The cited and relied upon Woods (950,361) is from the field of fasteners for wagon seats. Woods is designed to be fastened in place on a side of a wagon body, not a side of a cinderblock, and certainly not both sides and the top of a cinderblock as is the case of the current invention. The field of fasteners for wagon seats is not pertinent to the problem solved by the current invention, which is a mobile home skirt anchor mounting bracket for use in connection with mobile home skirting. Therefore, the Woods reference should not be considered by the Examiner. Furthermore, a reasonable expectation of success as required. Woods can only engage with one of the side walls of a cinderblock at most, whereas the current invention engages with both side walls. The concentration of force by Woods on a single sidewall of a cinderblock could

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cause the sidewall of the cinderblock to crumble. In contrast, the current invention distributes the weight of the anchor mounting bracket, the two by fours, and the mobile home skirting onto both side walls of the cinderblock. The claimed dimensions in claim 6-10 are critical to meet the requirement that the anchor mounting bracket fit over the top and the exterior surfaces of the first and second sidewall of a cinderblock, as well as the requirement that the anchor mounting bracket receive at least one two by four. The dependent claims 3-12 add additional novel features to the independent claims recited above and thus are submitted to be a-fortiori, patentable.

Claim 13, as amended, overcomes the 35 U.S.C. 103(a) rejection because it has been amended to include the invention having a length of the top member being equal to the width of a cinderblock having a first sidewall and a second sidewall having exterior surfaces such that when the top member is placed on top of the cinderblock, the first downward flange fits over the exterior surface of the first sidewall and the second downward flange fits over the exterior surface of the second sidewall. Support for the amendment to specify that the length of the top member is equal to the width of a cinderblock having a first sidewall and a second sidewall having exterior surfaces such that when the top member is placed on top of the cinderblock, the first downward flange fits over the exterior surface of the first sidewall and the second downward flange fits over the exterior surface of the second sidewall is found in the Specification at p. 5, lines 21-25, p. 8, lines 14-16, p. 9, lines 7-8, and in Figs. 1-3. The Federal Circuit has stated that the references must be "reasonably pertinent to the particular problem with which the inventor is involved" and that "common sense" must be used to decide "in which fields a person of ordinary skill would reasonably be expected to look for a solution to the problem facing the inventor." The cited and relied upon Woods (950,361) is from the field of fasteners for wagon seats. Woods is designed to be fastened in place on a side of a wagon body, not a side of a cinderblock, and certainly not both sides and the top of a cinderblock as is the case of the current invention. The field of fasteners for wagon seats is not pertinent to the problem solved by the current invention, which is a mobile home skirt anchor mounting bracket for use in connection with mobile home skirting.

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Therefore, the Woods reference should not be considered by the Examiner. Furthermore, a reasonable expectation of success as required. Woods can only engage with one of the side walls of a cinderblock at most, whereas the current invention engages with both side walls. The concentration of force by Woods on a single sidewall of a cinderblock could cause the sidewall of the cinderblock to crumble. In contrast, the current invention distributes the weight of the anchor mounting bracket, the two by fours, and the mobile home skirting onto both side walls of the cinderblock. The dependent claims 14, 15, 17, and 18 add additional novel features to the independent claims recited above and thus are submitted to be a-fortiori, patentable.

Claim 19, as amended, overcomes the 35 U.S.C. 103(a) rejection because it has been amended to include the invention having the bottom of the first downward flange being frictionally engaged with the first opposing side of the cinderblock and the bottom of the second downward flange being frictionally engaged with the second opposing side of the cinderblock. Support for the amendment to specify that the bottom of the first downward flange is frictionally engaged with the first opposing side of the cinderblock and the bottom of the second downward flange is frictionally engaged with the second opposing side of the cinderblock is found in the Specification at p. 5, lines 21-25, p. 8, lines 14-16, p. 9, lines 7-8, and in Figs. 1-3. The Federal Circuit has stated that the references must be "reasonably pertinent to the particular problem with which the inventor is involved" and that "common sense" must be used to decide "in which fields a person of ordinary skill would reasonably be expected to look for a solution to the problem facing the inventor." The cited and relied upon Woods (950,361) is from the field of fasteners for wagon seats. Woods is designed to be fastened in place on a side of a wagon body, not a side of a cinderblock, and certainly not both sides and the top of a cinderblock as is the case of the current invention. The field of fasteners for wagon seats is not pertinent to the problem solved by the current invention, which is a mobile home skirt anchor mounting bracket for use in connection with mobile home skirting. Therefore, the Woods reference should not be considered by the Examiner. Furthermore, a reasonable expectation of success as required. Woods can only engage with one of the

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side walls of a cinderblock at most, whereas the current invention engages with both side walls. The concentration of force by Woods on a single sidewall of a cinderblock could cause the sidewall of the cinderblock to crumble. In contrast, the current invention distributes the weight of the anchor mounting bracket, the two by fours, and the mobile home skirting onto both side walls of the cinderblock. The claimed dimensions in claim 6-10 are critical to meet the requirement that the anchor mounting bracket fit over the top and the exterior surfaces of the first and second sidewall of a cinderblock, as well as the requirement that the anchor mounting bracket receive at least one two by four. The dependent claim 20 adds additional novel features to the independent claims recited above and thus is submitted to be a-fortiori, patentable.

In view of the above, it is respectfully submitted that:

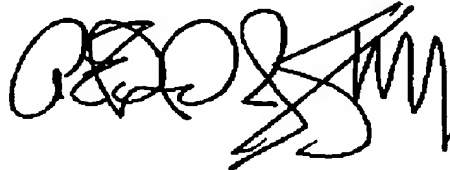
Claims 1, 3-15, and 17-20, as amended, recite distinctions that are of patentable merit under 35 U.S.C. 102(b) and 35 U.S.C. 103(a) for the independent claims and thus for each dependent claim as well. Specifically, a length of the top member being equal to the width of a cinderblock having a first sidewall and a second sidewall having exterior surfaces such that when the top member is placed on top of the cinderblock, the first downward flange fits over the exterior surface of the first sidewall and the second downward flange fits over the exterior surface of the second sidewall was unsuggested among the prior art references.

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Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,



Anthony Edw. J Campbell
Reg. No. 39,619
Customer No. 30,245
Phone 512/306-0321
Attorney for Applicant

Date: August 28, 2006

Certificate of Facsimile

I hereby certify that this correspondence is being transmitted by fax to the United States Patent and Trademark Office, Fax No. 571-273-8300 on the date shown below.

Anthony Edw. J Campbell



Monday, August 28, 2006